

Minutes of a Regular Meeting of the Mayor and Council held on the 4th day of November, 2002 at 7:00 P.M.

The meeting was called to order by Mayor Donald Parker who presided.

A roll call disclosed the following present: Councilmembers Croucher, Dorr, Dubois and Fry; City Attorney Godderz, Superintendent Rickel, Police Chief Shaffer and City Clerk Holloway.

Visitors: LaVene Brenden, Angela Forrest, Martin Fee, Terri Prewit, Terry Coder, Leland Boyce, Christina Davidson, Kim Tyson and David Punches

A motion was offered by Councilmember Dorr to approve the minutes of the regular meeting of October 21, 2002. Seconded by Councilmember Dubois and the vote was Ayes 4; nays 0.

Claims Ordinance No. 1977, an ordinance making appropriation for the payment of certain claims was introduced, said claims being in the amounts as follows: General \$298.00; Police \$501.90; Animal Control \$94.98; Street \$596.38; Park \$354.98; Employee Benefit \$195.21; Utility Account \$138.08; Electric \$1,321.81; Water \$5,636.91; Gas \$18,746.13; Sewer \$481.32; Solid Waste \$443.82; Capital Project-Ball Park \$25.28. A motion was offered by Councilmember Croucher to approve Ordinance No. 1977. Seconded by Councilmember Dorr and the vote was Ayes 4; nays 0.

A motion was offered by Councilmember Dubois to approve the agenda as amended. Seconded by Councilmember Fry and the vote was Ayes 4; nays 0.

Enter now, Wes Colson.

As the City of Burlingame has filed an application with USDA, Rural Development for financial assistance in the form of loan and/or grant to make water distribution system improvements and pursuant to a notice published in the Osage County Chronicle on Thursday, October 17, 2002 stating a Public Hearing will be held on November 4, 2002 at City Hall regarding the proposed project and to provide the opportunity for public comment, Mayor Parker opened the Hearing for comments. LaVene Brenden and Martin Fee stated the need for additional items to complete the rural development application and reiterated that the project will be a 2-phase project with approximately 45% grant and 55% loan for 40 years at 4-3/4% interest rate. There being no other questions or comments, a motion was offered by Councilmember Dubois to close the Public Hearing. Seconded by Councilmember Fry and the vote was Ayes 4; nays 0.

Exit now, LaVene Brenden, Angela Forrest and Martin Fee.

Following a discussion of the Blue Cross Blue Shield health insurance, a compromise was agreed to between the employees present and City Council and a motion was offered by Councilmember Croucher to renew Option I which increases the deductibles from \$750.00 to \$1000.00 for single and \$1,500.00 to \$2,000.00 for family and increases the prescription deductibles. Seconded by Councilmember Dubois and the motion carried with Councilmembers Croucher, Dubois and Dorr voting Aye; Councilmember Fry voting nay.

Exit now, Leland Boyce

As the Superintendent had not heard back from Kansas Department of Health and Environment regarding requirements of a sand building, a motion was offered by Councilmember Dorr to table this item. Seconded by Councilmember Dubois and the vote was Ayes 4; nays 0.

Terry Coder with Professional Engineering explained that the plans for the K-31 and Prospect project are 60% complete and it looks favorable to getting the project moved to 2003. The project consists of cutting down the hill and, in doing so, it will necessitate moving a water line and putting in storm sewer and curb and gutter on K-31. The cost of construction is 100% funded by Kansas Department of Transportation but the cost of right-of-ways and utilities will be funded locally. A motion was offered by Councilmember Dorr to approve bidding the moving of the water line with the project at an estimated cost of \$13,161.75 and to approve additional engineering services of \$1,800.00. Seconded by Councilmember Dubois and the vote was Ayes 4; nays 0.

Exit now, Terry Coder

Terri Prewit was present to talk with the Council regarding her letter of claim for loss when the sewer backed up into her basement. Mayor Parker stated that basement drains should not be connected to the sewer system and that a check valve should be installed. A motion was offered by Councilmember Dorr to turn the claim in to the City's insurance and table further decision until the next meeting. Seconded by Councilmember Fry and the vote was Ayes 4; nays 0.

Exit now, Terri Prewit

A motion was offered by Councilmember Dubois to go into Executive Session at 8:06 P.M. for a period of 5 minutes to discuss Attorney-Client matters. Seconded by Councilmember Dorr and the vote was Ayes 4; nays 0. City Attorney attended the Session. Council returned to regular meeting at 8:09 P.M.

City Attorney Godderz stated the email from Mediacom were answers to the questions brought up at the meeting of August 5, 2002 which was attended by Stan Melton regarding the Franchise Agreement. A motion was offered by Councilmember Dubois to table this item until the next meeting so the Council could review the answers and the original agreement to make sure there were no other questions. Seconded by Councilmember Croucher and the vote was Ayes 4; nays 0.

Discussion was held of paying on-call time for 16 hours a day, Monday through Friday, and 48 hours for weekends and the disciplinary action to be taken for non-response. A motion was offered by Councilmember Dubois to table this matter until the next meeting. Seconded by Councilmember Dorr and the vote was Ayes 4; nays 0.

Exit now, Christina Davidson

A motion was offered by Councilmember Fry to accept the verbal resignation to Mayor Parker by Duane Dennison as he has moved out of the City limits. Seconded by Councilmember Dubois and the vote was Ayes 4; nays 0.

A motion was offered by Councilmember Croucher that Councilmember Fry serve as President of the Council. Seconded by Councilmember Dubois and the motion carried with Councilmembers Croucher, Dorr and Dubois voting Aye; Councilmember Fry abstained.

Mayor Parker recommended Daniel Hovestadt to complete the term of Duane Dennison to April 2003. A motion was offered by Councilmember Fry to accept the Mayor's recommendation. Seconded by Councilmember Dubois and the motion carried with Councilmembers Dorr, Dubois and Fry voting Aye; Councilmember Croucher voting Nay.

Council discussed the invoice from ArKee Sanitation in the amount of \$160.00 for 4 porta-potties for the Boo-lingame Festival ball tournament the weekend of October 12, 2002. As the City was not notified that the ball tournament had been cancelled, a motion was offered by Councilmember Dorr that a statement should be remitted to the Chamber of Commerce for 1/2 the expense of the porta-potties. Seconded by Councilmember Fry and the vote was Ayes 4; nays 0.

Exit now, Kim Tyson

A motion was offered by Councilmember Dorr to go into Executive Session at 8:56 P.M. for a period of 5 minutes to discuss Attorney Client matters. Seconded by Councilmember Fry and the vote was Ayes 4; nays 0. City Attorney Godderz attended the Session. Council returned to regular meeting at 9:01 P.M.

A motion was offered by Councilmember Croucher that a letter be sent to Customer Account No. 03-25302 that the past due amount owing on utilities must be paid by Tuesday, November 12, 2002 in order to avoid termination of services. Seconded by Councilmember Dubois and the vote was Ayes 4; nays 0.

Reports were heard from department heads, Council and Mayor.

A motion to adjourn was offered by Councilmember Dorr. Seconded by Councilmember Fry and the vote was Ayes 4; nays 0.

Cheryl Holloway, City Clerk